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From: Plevin, Lisa
To: Soltani, Beth; Carrea, Steve
Subject: FW: Soil Safe Project, Carteret, NJ
Date: Thursday, January 02, 2014 4:11:40 PM

Bb for 1/13 mtg w/AC

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From: Debbie Mans [mailto:debbie@nynjbaykeeper.org]
Sent: Monday, December 30, 2013 1:11 PM
To: Plevin, Lisa
Subject: Soil Safe Project, Carteret, NJ

Hi Lisa

I just wanted to bring to your attention an important issue for us along the Rahway River in Carteret, NJ. It has gotten a lot of press, including several negative editorials (see links below). We would be appreciative of any assistance the USEPA could provide.
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NJDEP approved conditional land use permits to Soil Safe, a Maryland company, to import 1.5 million tons of petroleum-contaminated soil and pile it up to 29 feet in a flood plain along the Rahway River in May 2013. The state air permit and the Class B recycling permit are pending.

The applicant states that it is doing this to "remediate" the site, which does include some sludge ponds from prior manufacturing uses in the area (this is the old American Cynamide site). The site has a "No Further Action" letter from NJDEP, which the applicant is attempting to get overturned or ignored. The applicant will not actually remove any contaminated material, but will rather pile on petroleum-contaminated material to create a cap for the site. The applicant has not yet shared with the public the process it intends to use for stabilizing the cap, but prior practices by Soil Safe in the state indicated that they use cement kiln dust or a very low level of Portland cement (i.e., 1%).

The applicant, the Rahway River Stormwater Council (non-governmental) and NY/NJ Baykeeper have all appealed the conditional permit. The applicant and NJDEP have moved into ADR process.

Key concerns include:

-The project will remove 90 acres of flood plain in an area that already has severe flooding problems. Communities along the river have asked DEP to do a professional evaluation of flood impacts and their requests have been ignored. Recently, Congressman Payne has asked the Army Corps to include the site in their flooding study of the Rahway River.

<http://www.mycentraljersey.com/article/20131225/NJNEWS/312250032/Army-Corps-to-study-Rahway-Arch-over-NJDEP-objections>

-Internal DEP engineer reviews of the project warn that the cap will likely collapse into the river and surrounding wetlands. They also question the logic of introducing new contaminants to the property as a way to "clean it up." All DEP staff concerns about the project are being overridden by the Governor's top staff.

-The company has a history of violations in New Jersey at their other sites.

-The project has numerous political connections. Governor Christie is ignoring flooding and toxic pollution problems to make political allies happy.

- The site is the same site that is proposed for a portion of the Turnpike Connector Road from Linden to Carteret. While USCG has issued a FONSI on the Connector Road, the agency did not require a map showing there would be no conflict of use of having a road run through an active landfill operation.

To read more:

http://blog.nj.com/njv_editorial_page/2013/12/why_the_haste_on_landfill_edit.html

blog.nj.com/njv_guest_blog/2013/07/rahway_river_project_deserves.html

blog.nj.com/njv_editorial_page/2013/07/state_must_be_cautious_with_ra.html

<http://newjersey.news12.com/news/kiyc-rahway-river-cleanup-part-2-1.5721553>
www.mycentraljersey.com/article/20130720/NJNEWS20/307200008/Environmentalists-question-remediation-Carteret-toxic-site

In the short-term we are asking for the following:

- a public meeting in the impacted community on the pending air permit
- delay on the issuance of further permits until the USACE flooding study is complete

But ultimately, this is the wrong project for this ecologically sensitive site and should not move forward.

Please let me know if you have any questions. Thanks, Debbie

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